

EXTENSIONS OF REMARKS

SECURITY AND FREEDOM
THROUGH ENCRYPTION (SAFE)
ACT

HON. BOB GOODLATTE

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Monday, March 1, 1999

Mr. GOODLATTE. Mr. Speaker, I am pleased, along with 204 of my colleagues, to introduce the Security And Freedom through Encryption (SAFE) Act of 1999.

This much-needed, bipartisan legislation accomplishes several important goals. First, it aids law enforcement by preventing piracy and white-collar crime on the Internet. If an ounce of prevention is worth a pound of cure, then an ounce of encryption is worth a pound of subpoenas. With the speed of transactions and communications on the Internet, law enforcement cannot possibly deal with pirates and criminal hackers by waiting to react until after the fact.

Only by allowing the use of strong encryption, not only domestically but internationally as well, can we hope to make the Internet a safe and secure environment. As the National Research Council's Committee on National Cryptography Policy concluded, "If cryptography can protect the trade secrets and proprietary information of businesses and thereby reduce economic espionage (which it can), it also supports in a most important manner the job of law enforcement. If cryptography can help protect nationally critical information systems and networks against unauthorized penetration (which it can), it also supports the national security of the United States."

Second, if electronic commerce is to reach its true potential, consumers and companies alike must have the confidence that their communications and transactions will be secure. The SAFE Act, by allowing all Americans to use the highest technology and strongest security available, will provide them with that confidence.

Third, with the availability of strong encryption overseas and on the Internet, our current export controls only serve to tie the hands of American business. According to a number of industry studies, failure to remove our export controls will cost our economy hundreds of thousands of jobs and tens of billions of dollars.

The SAFE Act remedies this situation by allowing the export of generally available encryption products without a license, and custom-designed encryption products if they are approved for use by banks or are commercially available from foreign companies. Removing these export barriers will free U.S. industry to remain the world leader in software, hardware, and Internet development. And by allowing the U.S. computer industry to use and export the highest technology available with the strongest security features avail-

able, America will be leading the way into the 21st century information age and beyond.

This bipartisan legislation enjoys the support of members and organizations across the spectrum of all ideological and political beliefs. Groups as varied as Americans for Computer Privacy, American Civil Liberties Union, National Rifle Association, Law Enforcement Alliance of America, Americans for Tax Reform, Netscape, America Online, Microsoft, Business Software Alliance, Novell, Lotus, Adobe, Electronic Industries Alliance, Software and Information Industry Association, Information Technology Association of America, Citizens for a Sound Economy, Telecommunications Industry Association, Computer Electronics Manufacturers Association, U.S. Telephone Association, SBC Communications, Bell Atlantic, Bell South, U.S. West, Competitive Enterprise Institute, Business Leadership Council, IBM, Small Business Survival Committee, Sybase, RSA Data Security, Semiconductor Industry Association, Telecommunications Industry Association, Center for Democracy and Technology, and U.S. Chamber of Commerce, Direct Marketing Association, American Financial Services Association, Intel, Compaq, Network Associates, National Association of Manufacturers strongly support this legislation, to name just a few.

The SAFE Act enjoys this support not only because it is a common-sense approach to solving a very immediate problem, but also because ordinary Americans' personal privacy and computer security is being assaulted by this Administration. Amazingly enough, the Administration wants to mandate a back door into peoples' computer systems in order to access their private information and confidential communications. In fact, the Administration has said that if private citizens and companies do not "voluntarily" create this back door, it will seek legislation forcing Americans to give the government access to their information by means of a "key escrow" system requiring computer users to put the keys to decode their encrypted communications into a central data bank. This is the technological equivalent of mandating that the federal government be given a key to every home in America.

The SAFE Act, on the other hand, will prevent the Administration from placing roadblocks on the information superhighway by prohibiting the government from mandating a back door into the computer systems of private citizens and businesses. Additionally, the SAFE Act ensures that all Americans have the right to choose any security system to protect their confidential information.

Mr. Speaker, with the millions of communications, transmissions, and transactions that occur on the Internet every day, American citizens and businesses must have the confidence that their private information and communications are safe and secure. That is precisely what the SAFE Act will ensure. I urge each of my colleagues to join and support this bipartisan effort.

The original cosponsors are Representatives LOFGREN, ARMEY, DELAY, WATTS, TOM DAVIS, COX, PRYCE, BLUNT, GEPHARDT, BONIOR, FROST, DELAURO, JOHN LEWIS, GEJDENSON, SENSENBRENNER, GEKAS, COBLE, LAMAR SMITH, GALLEGLY, BRYANT, CHABOT, BARR, HUTCHINSON, PEASE, CANNON, ROGAN, BONO, BACHUS, CONYERS, FRANK, BOUCHER, NADLER, JACKSON-LEE, WATERS, MEEHAN, DELAHUNT, WEXLER, ACKERMAN, ANDREWS, ARCHER, BALLENGER, BARCIA, BILL BARRETT, TOM BARRETT, BARTON, BILBRAY, BLUMENAUER, BOEHNER, KEVIN BRADY, ROBERT BRADY, CORRINE BROWN, GEORGE BROWN, BURR, BURTON, CAMP, CAMPBELL, CAPPS, CHAMBLISS, CHENOWETH, CHRISTIAN-CHRISTENSEN, CLAYTON, CLEMENT, CLYBURN, COLLINS, COOK, COOKSEY, CUBIN, CUMMINGS, CUNNINGHAM, DANNY DAVIS, DEAL, DEFazio, DEUTSCH, DICKEY, DOOLEY, DOOLITTLE, DOYLE, DRIER, DUNCAN, DUNN, EHLERS, EMERSON, ENGLISH, ESHOO, EWING, FARR, FILNER, FORD, FOSSELLA, FRANKS, GILLMOR, GOODE, GOODLING, GORDON, GREEN, GUTKNECHT, RALPH HALL, HASTINGS, HERGER, HILL, HOBSON, HOEKSTRA, HOLDEN, HOOLEY, HORN, HOUGHTON, INSLEE, ISTOOK, JACKSON, JR., JEFFERSON, E.B. JOHNSON, NANCY JOHNSON, KANJORSKI, KASICH, KELLY, KILPATRICK, KIND, KINGSTON, KNOLLENBERG, KOLBE, LAMPSON, LARGENT, LATHAM, LEE, RON LEWIS, LINDER, FRANK LUCAS, LUTHER, KAREN MCCARTHY, McDERMOTT, MCGOVERN, MCINTOSH, MALONEY, MANZULLO, MARKEY, MARTINEZ, MATSUI, MEEK, METCALF, MICA, MILLENDER-MCDONALD, GEORGE MILLER, MOAKLEY, JIM MORAN, MORELLA, MYRICK, NAPOLITANO, NEAL, NETHERCUTT, NORWOOD, NUSSLE, OLVER, PACKARD, PALLONE, PASTOR, COLLIN PETERSON, PICKERING, POMBO, POMEROY, PRICE, QUINN, RADANOVICH, RAHALL, RANGEL, REYNOLDS, RIVERS, ROHRBACHER, ROS-LEHTINEN, RUSH, SALMON, SANCHEZ, SANDERS, SANFORD, SCARBOROUGH, SCHAFER, SESSIONS, SHAYS, SHERMAN, SHIMKUS, ADAM SMITH, CHRIS SMITH, SOUDER, STABENOW, STARK, SUNUNU, TANNER, TAUSCHER, TAUZIN, TAYLOR, THOMAS, THOMPSON, THUNE, TIAHRT, TIERNEY, UPTON, VENTO, WALSH, WAMP, WATKINS, WELLER, WHITFIELD, WICKER, WOOLSEY, and WU.

PERSONAL EXPLANATION

HON. JUANITA MILLENDER-MCDONALD

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, March 1, 1999

Ms. MILLENDER-MCDONALD. Mr. Speaker, on Tuesday, February 23, 1999, I was unavoidably detained while conducting official business and missed rollcall votes 22 and 23. Had I been present I would have voted "yea."

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